

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Isao MIYAGAWA et al.

Application No.: NEW

Confirmation No.: N/A

Filed: August 15, 2006

Art Unit: N/A

For: HYBRIDIZATION METHOD AS WELL AS
HYBRIDIZATION MICROARRAY AND
HYBRIDIZATION KIT

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. This Information Disclosure Statement accompanies the new patent application submitted herewith.

A summary/abstract translation of some of the non-English language references is enclosed. Additionally, please note that JP-A-2004-500867 corresponds to WO-A2-01/94630; and JP-A-2001-521754 corresponds to WO-A1-99/23256.

Also attached are an Office Action issued in the basic Japanese application (JP Appl. No.: 2004-056511) from which the benefit of priority was claimed, March 7, 2006, and an Office Action issued in the basic Japanese application (JP Appl. No.: 2004-056511) from which the

Application No.: NEW

Docket No.: 0033-1091PUS1

benefit of priority was claimed, June 6, 2006. Applicants believe that JP-2002-065299 was incorrectly cited as a National Patent Publication rather than as a Laid Open Patent.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

A concise explanation of relevance of some of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: August 15, 2006

Respectfully submitted,

By

Marc S. Weiner

Registration No.: 32,181



Receipt date: 08/15/2006

539497

Application No.: NEW

U.S. RECOGNIZED 15 AUG 2006

Docket No.: 0033-1091PUS1

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Receipt date: 08/15/2006

PTO-902/RS-5 (07-05)

Approved for use through 07/31/2006 OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	1	Attorney Docket Number	0033-1091PUS1
-------	---	----	---	------------------------	---------------

U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Document Number Number-Kind Code ² (# Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/S.J./	AA*	US-2002/0127589-A1	09-12-2002	SATO et al.	X
/S.J./	AB*	US-2003/0194709-A1	10-16-2003	YANG	X
/S.J./	AC*	US-2002/0187476-A1	12-12-2002	KOROULIS et al.	X
/S.J./	AD*	US-2004/0152083-A1	08-05-2004	LEPROUST et al.	X

FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No.	Foreign Patent Document Country Code ¹ -Number-Kind Code ² (#Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
/S.J./	BA	WO-02/072264-A1	09-19-2002		X	
S.J./	BB	WO-03/083127-A2	10-09-2003		X	
/S.J./	BC	JP-2002-65299-A	03-05-2002		X	ABS
S.J./	BD	WO-01/94630-A2	12-13-2001		X	
/S.J./	BE	JP-2004-500867-A	01-15-2004		X	
S.J./	BF	JP-2003-344401-A	12-03-2003		X	ABS
S.J./	BG	JP-2003-57257-A	02-26-2003		X	ABS
/S.J./	BH	JP-2002-267667-A	09-18-2002		X	ABS
/S.J./	BI	JP-2003-28864-A	01-29-2003		X	ABS
S.J./	BJ	WO-99/23256-A1	05-14-1999		X	
S.J./	BK	JP-2001-521754-A	11-13-2001		X	

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *CTE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.58(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ²Applicant's unique citation designation number (optional). ³See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST-3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST-16 if possible. ⁷Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA		X
	CB		X

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

²Applicant's unique citation designation number (optional). ³Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Shannon Janssen/	Date Considered	07/06/2009
--------------------	-------------------	-----------------	------------

Birch, Stewart, Kolasch & Birch, LLP

MSW/clb